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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

EX PARTE OR LATE FILED

Jill Daugherty  
1452 Ridgeway Dr.  
Jeffersonville, IN 47130  
2/22/92

re: Indecent campaign commercials

Dear Secretary (FCC),

I am writing to ask that candidates promoting campaign commercials be subjected to the same laws or rules that govern decency that everyone else must abide by.

At such times that Micheal Bailey's (<sup>candidate</sup> Ninth District - INDIANA) commercials air I feel I have no choice but to carefully monitor the T.V. or turn it off completely. His commercials have caused me pain that I could never describe. I understand his position, but I feel his ads go way beyond rational limits. He has found a loop hole to promote his cause.

Last Spring I was so upset over this whole thing (after spending several weeks trying to get it off the air) that I had to wind up going to the doctor to get help for physical symptoms.

I hope you will consider the impact this has on all citizens. Children & Adults. Thank you,  
Jill DAugherty

budget committee in July, The funds daily basis

## Bailey takes on campaign

By GEORGE BENNETT  
Evening News Staff Writer

Failed Ninth Congressional District candidate Michael Bailey is not stopping his campaign against abortion.

Bailey has recently accepted the job of campaign manager for Hamilton County, Ohio, congressional candidate Ken Callis. Callis is running on the Republican ticket in a special election to be held on March 16.

According to a press release from Bailey, he has written and produced three new television advertisements similar to his own campaign ads, which were the subject of much controversy during the 1992 primary and general elections.

One commercial will depict "graphic footage of aborted babies designed to change the pro-choice position of voters," according to the press release, and another will "focus on the immoral lifestyles of gays and lesbians." A third commercial will focus on general campaign issues.

Bailey's ads, in part, prompted a soon-to-be-made decision by the Federal Communications Commission, which will determine whether or not such graphic ads fall within the reasonable access provisions of FCC code.

Any decision to stop such ads must also not be in conflict with the FCC code of "no censorship."

At question is individual television stations' responsibility to channel such advertisements into those hours when there is no reasonable risk of children being in the audience.

"Safe harbor" hours have been defined by the FCC to be between

midnight and 6 a.m. Some opponents wanting to restrict the advertisements have accepted the safe harbor hours as a compromise to an outright ban on the ads.

An Atlanta television station refused to run a congressional candidate's 30-minute ad "Abortion In America: The Real Story" outside the safe harbor hours. The candidate, Daniel Becker, has filed a complaint with the FCC against the station.

The FCC has recently stated that it is not unreasonable for stations not to run such ads outside the safe harbor hours based on past informal staff opinions that an advertisement is indecent.

Jeffersonville attorney Larry Wilder, who represented Kathryn Copeland in a lawsuit on behalf of Copeland's two minor children against Bailey, and who also waged a media war with Bailey during the election year, was characteristically not at a loss for words after being told of Bailey's latest endeavors.

"It doesn't surprise me, judging from the fears we all had as to how far this type of campaigning can go," Wilder said. "He's trying to take this to the outer edge. All the fears that were created by Mr. Bailey's campaign are coming to fruition."

Copeland's suit was dismissed in federal court after the November election.

Anyone wanting to file reply comments with the FCC many do so before Feb. 23. The FCC considers public comment before rendering a decision as to whether an ad is indecent. Comments should be sent to the office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

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